

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Valentina Concha-Toro	Team: Squad #12	CCRB Case #: 201902515	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tuesday, 03/12/2019 8:27 PM	Location of Incident: In front of 2587 Bainbridge Avenue	Precinct: 52	18 Mo. SOL 9/12/2020	EO SOL 4/29/2021	
Date/Time CV Reported Tue, 03/12/2019 9:24 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 03/22/2019 12:54 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Edward Barrett	09973	956415	052 PCT
2. POM Jose Deleon	06308	958480	052 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Edward Barrett	Abuse: Police Officer Edward Barrett stopped § 87(2)(b)	
B.POM Jose Deleon	Abuse: Police Officer Jose Deleon stopped § 87(2)(b)	
C.POM Jose Deleon	Abuse: Police Officer Jose Deleon searched the vehicle in which § 87(2)(b) was an occupant.	
D.POM Jose Deleon	Abuse: Police Officer Jose Deleon seized § 87(2)(b)'s property.	
E.POM Edward Barrett	Abuse: Police Officer Edward Barrett interfered with § 87(2)(b)'s use of a recording device.	
F.POM Edward Barrett	Abuse: Police Officer Edward Barrett threatened § 87(2)(b) with the arrest of § 87(2)(b)	
G.POM Jose Deleon	Abuse: Police Officer Jose Deleon refused to provide his shield number to § 87(2)(b)	
H.POM Jose Deleon	Abuse: Police Officer Jose Deleon failed to provide § 87(2)(b) with a business card.	
§ 87(2)(g), § 87(4-b)		

## Case Summary

On March 12, 2019, § 87(2)(b) called 9-1-1 and submitted this complaint on behalf of himself and § 87(2)(b). On March 22, 2019, this complaint was received by the CCRB from IAB log number 19-10693.

At approximately 8:27 p.m. on March 12, 2019, § 87(2)(b)'s cousin, § 87(2)(b) was sitting inside § 87(2)(b)'s vehicle which was parked in front of 2587 Bainbridge Avenue, the Bronx. § 87(2)(b) was returning from a deli on East 194<sup>th</sup> Street and Briggs Avenue. A police vehicle was parked beside § 87(2)(b)'s vehicle and Police Officer Edward Barrett and Police Officer Jose Deleon of the 50<sup>th</sup> Precinct approached § 87(2)(b) in the front passenger seat. Police Officers Barrett and Deleon asked § 87(2)(b) to step out of the vehicle and Police Officer Barrett walked to the rear of the vehicle with § 87(2)(b). **(Allegations A and B: Abuse of Authority — Stop, § 87(2)(g))** Police Officer Deleon searched the vehicle **(Allegation C: Abuse of Authority — Search of Vehicle, § 87(2)(g))** Police Officer Deleon took § 87(2)(b)'s vehicle keys from the ignition and were not returned during the incident until § 87(2)(b) called to report Police Officer Barrett later in the incident **(Allegation D: Abuse of Authority — Seizure of Property, § 87(2)(g))** § 87(2)(b) began recording. Police Officer Barrett told § 87(2)(b) if he continued to record he would arrest § 87(2)(b) **(Allegations E and F: Abuse of Authority — Interference with Recording Device, § 87(2)(g) and Threat of Arrest, § 87(2)(g))** § 87(2)(b) stopped recording. § 87(2)(b) asked Police Officers Barrett and Deleon for their shield numbers which Police Officer Deleon did not provide **(Allegation G: Abuse of Authority — Refusal to Provide Shield Number, § 87(2)(g))** § 87(2)(b) asked Police Officers Deleon and Barrett for business cards. Police Officer Barrett told § 87(2)(b) he did not need one because a summons was issued, and Police Officer Deleon provided § 87(2)(b) a business card which read “§ 87(2)(b) Community Project Coordinator Family Court Division, 100 Church Street” **(Allegations H: Abuse of Authority — Failure to Provide Business Card, § 87(2)(g))** § 87(2)(g), § 87(4-b)  
§ 87(2)(b)  
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§ 87(2)(b)  
§ 87(2)(b)  
§ 87(2)(b) was issued a summons for § 87(2)(b). No arrests were made.

Police Officers Barrett and Deleon left. § 87(2)(b) called 9-1-1 to report Police Officer Barrett left with his keys. Approximately 45 minutes later, Police Officers Barrett and Deleon returned the keys to § 87(2)(b)'s vehicle to § 87(2)(b). Police Officers Barrett and Deleon left.

§ 87(2)(b) recorded the incident on his cellphone, producing one video file (Board Review 01). One body-worn camera footage was obtained by the investigation (Board Review 02).

## **Findings and Recommendations**

### **Allegation (A) Abuse of Authority: Police Officer Edward Barrett stopped § 87(2)(b)**

### **Allegation (B) Abuse of Authority: Police Officer Jose Deleon stopped § 87(2)(b)**

It is undisputed that when Police Officers Barrett and Deleon approached § 87(2)(b)'s vehicle at the onset of the incident, § 87(2)(b) was the only individual in the parked vehicle. § 87(2)(b) was asked to step out of the parked vehicle and Police Officer Barrett escorted him to the rear of the parked vehicle. § 87(2)(b) was issued a summons for § 87(2)(b). Police Officer Deleon prepared a voucher for a marijuana grinder and two burnt marijuana cigarettes.

On March 27, 2019, § 87(2)(b) provided a telephone statement (Board Review 03). On April 9, 2019, § 87(2)(b) provided an in-person verified interview (Board Review 04). § 87(2)(g) § 87(2)(b) alleged § 87(2)(b) was frisked and searched. In his in-person statement, § 87(2)(b) denied any officer made physical contact with § 87(2)(b).

§ 87(2)(b) stated that he and § 87(2)(b) had been in the parked vehicle and were planning on smoking marijuana. There was a marijuana grinder on the floor of the vehicle at an unknown location. § 87(2)(b) exited the vehicle to buy wrapping papers at a deli located at East 194<sup>th</sup> Street and Briggs Avenue. § 87(2)(b) had the marijuana he and § 87(2)(b) were planning to smoke. There was no marijuana in the vehicle. Upon his return to the vehicle, § 87(2)(b) who was 30 to 40 feet away, observed a marked police vehicle stopped at the rear passenger wheel of his vehicle. § 87(2)(b) was unable to recall if both Police Officer Barrett and Police Officer Deleon approached the passenger side of the vehicle, or if just one officer did so. § 87(2)(b) stated he was unable to hear the dialogue between § 87(2)(b) and Police Officers Barrett and Deleon but heard either Police Officer Barrett or Police Officer Deleon ask § 87(2)(b) if he was "smoking weed" and to step out of the vehicle.

Contact attempts to § 87(2)(b) were exhausted and no statement, either over the telephone or in-person, was obtained.

On August 21, 2019, Police Officer Deleon provided his CCRB testimony (Board Review 05). On September 4, 2019, Police Officer Barrett provided his CCRB testimony (Board Review 06). Police Officer Barrett was operating the police vehicle and Police Officer Deleon was seated in the passenger seat.

Police Officer Deleon stated that all four windows of § 87(2)(b)'s vehicle were rolled down. As Police Officers Deleon and Barrett drove beside the parked vehicle, Police Officer Deleon smelled the odor of burnt marijuana. There were no other factors that drew Police Officer Deleon's attention to the parked vehicle. There was no conversation in the patrol vehicle regarding the scent of marijuana. Police Officer Barrett stopped the patrol vehicle parallel to the parked vehicle. § 87(2)(b) was seated in the driver seat. Police Officer Deleon approached

the driver side of the parked vehicle and Police Officer Barrett approached the passenger side. Police Officer Deleon asked § 87(2)(b) to step out of the vehicle.

Police Officer Barrett stated that he observed § 87(2)(b)'s vehicle illegally parked in a "No Parking" or "No Standing" zone. § 87(2)(b) was seated in the front passenger seat. Police Officer Barrett did not recall whether the parked vehicle's windows were rolled up or down, but at some point, during the approach, the windows were rolled down before he spoke to § 87(2)(b). § 87(2)(b) Police Officer Barrett smelled marijuana, but he was unable to say if it was burnt or unburnt. Police Officer Barrett did not recall if he or Police Officer Deleon asked § 87(2)(b) to step out of the vehicle.

§ 87(2)(g)

An NYPD Property Voucher (Board Review 10) was prepared by Police Officer Deleon on March 12, 2019, for § 87(2)(b). Two marijuana cigarettes from behind the driver seat in plain view and one marijuana grinder from the center console were vouchered.

§ 87(2)(g)

According to NYPD Patrol Guide, Section 212-11 (Board Review 08), an officer can approach civilians to request information if they have an objective credible reason. A stop of civilian, where a reasonable person would not feel free to disregard an officer and walk away, is justified when an officer has reasonable suspicion that a particular criminal behavior is at hand.

According to People v. De Bour, 40 N.Y.2d 210 (Board Review 09), an officer can approach a stopped vehicle to request information when the officer has objective, credible reason. To stop an individual, an officer must have reasonable suspicion that the individual has committed, is committing or is about to commit a felony or misdemeanor.

§ 87(2)(g)

§ 87(2)(g)

**Allegation (C) Abuse of Authority: Police Officer Jose searched the vehicle in which § 87(2)(b) was an occupant.**

It is undisputed that Police Officer Deleon was the only officer on scene who searched the vehicle. It is also undisputed that there was a grinder in the vehicle. § 87(2)(b) was issued a summons for § 87(2)(b). Police Officer Deleon prepared a voucher for a marijuana grinder and two burnt marijuana cigarettes.

During § 87(2)(b)'s CCRB statement (Board Review 04) he stated that his vehicle's rear windows were rolled up and tinted, allowing only 5% of light to pass through them. Neither § 87(2)(b) nor § 87(2)(b) had been smoking marijuana in the vehicle prior to the incident. As Police Officer Deleon and Police Officer Barrett approached the vehicle, one of the two stated, "What are you doing? Smoking weed?" Police Officer Deleon searched the vehicle. § 87(2)(b) asked Police Officer Deleon why he was searching the vehicle, and Police Officer Deleon responded that there was marijuana in plain sight. § 87(2)(b) was not provided further detail as to where the marijuana was found.

During Police Officer Deleon's testimony (Board Review 05) he stated that he smelled an odor of burnt marijuana from inside the patrol vehicle. As the patrol vehicle drove beside the parked vehicle, the odor of burnt marijuana became stronger and was emanating from the parked vehicle. The parked vehicle had all four of its windows rolled down. Police Officer Deleon approached the driver seat of the parked vehicle and shined his flashlight at the rear seat of the vehicle. Police Officer Deleon observed two burnt marijuana cigarettes on the floor of the rear seat behind the driver seat. Police Officer Deleon turned his flashlight to the driver seat and observed a marijuana grinder in the center console of the vehicle. Police Officer Deleon recognized the odor of burnt marijuana from training an experience. He received training regarding marijuana at the police academy and later in 2018 when he received marijuana field test training. The field test training included training regarding the recognition of marijuana. Police Officer Deleon searched the vehicle and recovered the two marijuana cigarettes and the grinder.

Police Officer Barrett stated that he did not recall whether the parked vehicle's windows were rolled up or down, but at some point, during the approach, the windows were rolled down before he spoke to § 87(2)(b). Police Officer Barrett smelled marijuana emanating from the vehicle, but he was unable to say if it was burnt or unburnt. Police Officer Barrett did not observe anything in the vehicle and it was searched by Police Officer Deleon due to the odor of marijuana. Police Officer Barrett did not recall if he was made aware Police Officer Deleon observed anything in the vehicle prior to his search.

An NYPD Property Voucher (Board Review 10) was prepared by Police Officer Deleon on March 12, 2019, for § 87(2)(b). Two marijuana cigarettes from behind the driver seat in plain view and one marijuana grinder from the center console were vouchered.

At 00:00 to 00:01 minutes into the recording provided by § 87(2)(b) (Board Review 01), § 87(2)(b)'s vehicle, a parked, silver, four-door sedan, is depicted with the front driver window rolled down and the rear driver side window rolled up.

§ 87(2)(g)

[REDACTED]

According to People v. Manganaro, 176 A.D.2d 354 (1991) (Board Review 28), the courts held that officers are permitted to search a parked vehicle under the plain view exception to the search warrant requirement when they observe contraband in plain view in a vehicle.

According to NYC Penal Law, Section 221.10 (Board Review 29), an individual is guilty of unlawful possession of marijuana in the first degree when knowingly and unlawfully possesses one or more preparations, compains, mixtures or substances containing marijuana.

§ 87(2)(g)

[REDACTED]

§ 87(2)(g)

[REDACTED]

**Allegation (D) Abuse of Authority: Police Officer Jose Deleon seized § 87(2)(b)'s property.**

It is undisputed that at some point during the incident the vehicle keys were in police custody. The keys were returned to § 87(2)(b).

In § 87(2)(b)'s CCRB statement (Board Review 04) he stated that Police Officer Deleon took the vehicle keys out of the ignition during the vehicle search. § 87(2)(b) and § 87(2)(b) noticed the missing keys after the incident when they went to raise the lowered windows of the parked vehicle. § 87(2)(b) called 9-1-1 and filed this complaint. Approximately 45 to 50 minutes after Police Officers Deleon and Barrett left the location, they returned. § 87(2)(b) met Police Officers Deleon and Barrett and was returned the keys.

In their CCRB testimony Police Officers Barrett and Deleon (Board Reviews 05 and 06) both stated that Police Officer Barrett was the officer who was in possession of the keys when they left the location. Both Police Officer Barrett and Police Officer Deleon did not recall how Police Officer Barrett obtained the keys. Police Officer Deleon denied that at any point during the incident he had the keys. Police Officer Barrett did not recall how he obtained the keys and stated that perhaps § 87(2)(b) had provided them to him. Police Officer Barrett stated that he gained possession of the keys because during a vehicle stop the keys are obtained so civilians do not drive away. Police Officer Barrett did not realize he still had the keys and left the location with them in his pocket by accident. Police Officer Deleon stated that he and Police Officer Barrett had returned to the stationhouse and he was processing the evidence when Police Officer Barrett realized he still had the keys. Police Officers Barrett and Deleon went to the incident location and returned the keys. Police Officer Barrett stated that a few minutes after driving away from the location he realized he still had the parked vehicle's keys; they had not yet returned to the stationhouse. Police Officer Deleon and Barrett drove back to the incident location and returned the keys.

Police Officer Deleon's body-worn camera footage (Board Review 02) notes that Police Officers Deleon and Barrett left the incident location at approximately 7:33 p.m. At 6:01 minutes into the recording, timestamped 7:29 p.m., Police Officer Deleon is writing the summons and says, "The time is 20:27." He says this approximately three minutes before he and Police Officer Barrett leave the location.

The summons issued to § 87(2)(b) (Board Review 12) lists the incident time as approximately 8:27 p.m.

Police records reflect that § 87(2)(b) called 9-1-1 at approximately 8:38 p.m. (Board Review 13). He stated that approximately 10 to 15 minutes prior to his call, Police Officers Deleon and Barrett left the location with the keys to the parked vehicle. At 9:15 p.m. § 87(2)(b) stated that Police Officers Deleon and Barrett had returned to the location and gave back the vehicle keys.

§ 87(2)(g)

[REDACTED]

According to NYPD Patrol Guide, Section 218-19 (Board Review 30), an officer is to invoice property coming into police custody as arrest evidence, investigatory evidence, for forfeiture proceedings or to determine its true owner.

According to the U.S. Constitution, 4<sup>th</sup> Amendment (Board Review 31), it is the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

§ 87(2)(g)

§ 87(2)(g)

**Allegation (E) Abuse of Authority: Edward Barrett interfered with § 87(2)(b)'s use of a recording device.**

It is undisputed that § 87(2)(b) recorded during the incident.

In § 87(2)(b)'s CCRB interview (Board Review 04), he stated that he observed the police interaction from a gate in front of 2587 Bainbridge Avenue and began recording the incident. Police Officer Barrett and § 87(2)(b) were on the street, on the other side of the sidewalk standing beside the vehicle. Police Officer Barrett threatened § 87(2)(b) with the arrest of § 87(2)(b) because he was recording by saying, Police Officer Barrett told § 87(2)(b) "Oh, you want to record? That's fine, now we are going to take your boy in." § 87(2)(b) stopped recording. He made no statements indicating that he cursed at the officers or acted in a disruptive manner.

The eight second video provided to the investigation by § 87(2)(b) (Board Review 01) captures § 87(2)(b) standing beside a gate on the other side of the sidewalk from where the parked vehicle, § 87(2)(b) Police Officer Barrett and Police Officer Deleon are. § 87(2)(b) does not approach the vehicle. At 00:01 minutes into the video, Police Officer Barrett says, "That's fine. We're going to bring your boy in." § 87(2)(b) is not captured using any profane language.

There was no body-worn camera footage of this portion of the incident.



In his CCRB testimony, Police Officer Barrett stated that he did not recall or believe that he had any conversation regarding § 87(2)(b) recording during the incident and did not recall that he or Police Officer Deleon threatened to arrest any individual during the incident. Police Officer Barrett described that § 87(2)(b) was yelling and using profane language, but stated that he did not do anything else. After watching the video provided by § 87(2)(b) Police Officer Barrett stated he did not make the statement in the video regarding § 87(2)(b) recording, but because § 87(2)(b)'s cursing and presence was a safety concern, and the investigation involving § 87(2)(b) would need to be done at the stationhouse. Police Officer Barrett feared that § 87(2)(b)'s cursing would escalate the situation.

Police Officer Deleon denied there had been any conversation regarding § 87(2)(b) recording during the incident and denied arrest was a topic of conversation during the incident. After watching the video, Police Officer Deleon stated that he did not know what Police Officer Barrett was referring to when he made the statement "That's fine. We're going to bring your boy in," and stated that the only reason § 87(2)(b) would be brought to the stationhouse would be for identification purposes. Police Officer Deleon did not state that § 87(2)(b) cursed or acted in a disruptive manner.

According to NYPD Patrol Guide, Section 203-29 (Board Review 14), individuals have the right to lawfully observe and/or record police activity. An officer cannot threaten, intimidate, or otherwise discourage an observer from recording.

§ 87(2)(g)  
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§ 87(2)(g)

**Allegation (F) Abuse of Authority: Police Officer Edward Barrett threatened § 87(2)(b) with the arrest of § 87(2)(b)**

As noted in the discussion for Allegation E, Police Officer Barrett confirmed that he threatened to arrest § 87(2)(b). After the video provided by § 87(2)(b) was shown to Police Officer Barrett, he provided the explanation that due to § 87(2)(b)'s cursing, § 87(2)(b) would need to be brought back to the stationhouse to finish the investigation. He was afraid § 87(2)(b)'s cursing would escalate the situation. Police Officer Barrett stated that § 87(2)(b) was not doing anything else other than cursing. § 87(2)(g)

§ 87(2)(b) A video of the incident does not depict § 87(2)(b) cursing or approaching the officers prior to the threat of arrest.

According to NYPD Patrol Guide, Section 208-01 (Board Review 15), an officer can arrest an individual for an offense when there is reasonable cause to believe the offense was committed in his presence.

According to People v. Gonzalez, 25 N.Y. 3d 1100 (2015) (Board Review 16), states that a cursing or ranting against police does not constitute disorderly conduct. According to NY CLS Penal Law, Section 195.05 (Board Review 17), a person is guilty of obstructing governmental administration when intentionally obstructing, impairing, or perverting the administration of law by means of intimidation or physical force.

§ 87(2)(g)  
[REDACTED]

§ 87(2)(g)  
[REDACTED]

§ 87(2)(g)  
[REDACTED].

**Allegation (G) Abuse of Authority: Police Officer Jose Deleon refused to provide his shield number to § 87(2)(b)**

In § 87(2)(b)'s in person interview (Board Review 04) he stated that he was standing beside the gate of his apartment, Police Officer Barrett was at the trunk of the parked vehicle and Police Officer Deleon was at the rear passenger wheel. § 87(2)(b) was approximately 10 feet away from Police Officers Deleon and Barrett. § 87(2)(b) asked both Police Officer Barrett and Police Officer Deleon, "I want your badge number. Give me your badge number." § 87(2)(b) asked approximately five time for the information.

In Police Officer Deleon's CCRB statement (Board Review 05), prior to asking for a shield number, § 87(2)(b) had been calling Police Officer Barrett disrespectful names. Police Officer Deleon stated § 87(2)(b)'s request for a shield number was directed at Police Officer Barrett. Initially, Police Officer Deleon stated that § 87(2)(b) asked both for Police Officer Barrett's name and shield and Police Officer Barrett provided both. Then Police Officer Deleon stated that § 87(2)(b) asked Police Officer Barrett for his shield number directly by saying, "Barrett, what's your shield number?" Police Officer Deleon's back was facing § 87(2)(b) when § 87(2)(b) asked for a shield number.

In Police Officer Barrett's CCRB statement (Board Review 06) he stated he did not remember any individual asking an officer on scene for a shield number.

At 3:30 minutes into Police Officer Deleon's body-worn camera footage (Board Review 02), Police Officer Deleon is facing toward § 87(2)(b) and away from the sidewalk issuing him a summons. Police Officer Barrett is facing toward the truck of the parked vehicle where § 87(2)(b) is standing. Police Officer Barrett is speaking to § 87(2)(b) and then states to § 87(2)(b) who is not captured in the frame, "Right, Scooby?" A voice which the investigation determined was § 87(2)(b) says, "What's your name?" and Police Officer Barrett provides his name. § 87(2)(b) then says, "What's your badge number?" and Police Officer Barrett provides both his shield number and name. § 87(2)(b) only asks once.

§ 87(2)(g)

§ 87(2)(g)

**Allegation (H) Abuse of Authority: Police Officer Jose Deleon failed to provide § 87(2)(b) with a business card.**

In Police Officer Deleon's body-worn camera (Board Review 02) at 8:50 minutes into the recording, Police Officer Deleon turns toward the front of the patrol vehicle and Police Officer Barrett opens the patrol vehicle's driver door. § 87(2)(b) says, "What, no business card?" Police Officer Barrett says, "Not with a summons," and Police Officer Deleon says, "What do you need, a business card?" § 87(2)(b) asks for contact information and PO Barrett says, "Yeah, I'll give you a card." PO De Leon tells § 87(2)(b) that all the required information is on the summons, and so no business card is needed. The video ends with Police Officer Deleon's moving hand with an unidentifiable item towards § 87(2)(b). As discussed above, there is no other BWC footage.

In § 87(2)(b)'s in person interview (Board Review 04) he stated Police Officer Deleon provided him a card that read "§ 87(2)(b), Community Project Coordinator, New York City Law Department, Family Court Division, 100 Church Street." He provided the investigation with a copy of this card (Board Review 27).

When § 87(2)(b) called IAB fifteen minutes after the interaction to report that Police Officer Deleon had taken the keys to his vehicle, he identified the subject officer as having the surname "§ 87(2)(b)" (Board Review 13).

During his interview, Police Officer Deleon stated that he provided § 87(2)(b) with his Right to Know Act business card. He denied having seen the business card for § 87(2)(b) prior to the interview and stated that he did not know § 87(2)(b).

According to NYC Administrative Code, Section 14-174 (Board Review 18), an officer shall provide a Right to Know Act card during a law enforcement activity when such information is requested.

§ 87(2)(g)  
[Redacted text block]

§ 87(2)(g) [Redacted text block].

§ 87(2)(g), § 87(4-b) [Redacted text block]

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§ 87(2)(g), § 87(4-b)

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### Civilian and Officer CCRB Histories

- This is the second complaint § 87(2)(b) has been party (Board Review 22):
  - § 87(2)(b)
- This is the only CCRB complaint § 87(2)(b) has been party (Board Review 23).
- Chief of Department Monahan has been a member-of-service for 37 years and has seven prior CCRB allegations in six cases with no substantiated allegations. § 87(2)(g)
- Police Officer Deleon has been a member-of-service for four years and has six prior CCRB allegations in three cases. § 87(2)(g)
  - CCRB Case #201708315 in which an allegation of a frisk was made was substantiated. The CCRB Board recommended command discipline B. The NYPD disposition resulted on formalized training.
  - CCRB Case #201809347 in which an allegation of failure to provide a RTKA card was substantiated. The CCRB Board recommended command level discipline. The NYPD disposition is still pending.
- Police Officer Barrett has been a member-of-service for five years and has four prior CCRB allegations in two cases with no substantiation. § 87(2)(g)

### **Mediation, Civil and Criminal Histories**

- § 87(2)(b) accepted mediation and the case was sent to the mediation unit on April 18, 2019. The case was returned to investigation on July 30, 2019, due to § 87(2)(b) no longer residing in New York City.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]
- A Notice of Claim search request was submitted to the New York City Comptroller's Office on September 6, 2019, and on September 13, 2019, an email was received advising that no documents had been located (Board Review 26).

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Squad No. 12

Investigator: \_\_\_\_\_  
Signature Print Title & Name Date

Squad Leader: \_\_\_\_\_  
Signature Print Title & Name Date

Reviewer: \_\_\_\_\_  
Signature Print Title & Name Date